

PPBridge  
RR: 2000

### BACKGROUND: POWDER POINT BRIDGE

This wooden bridge is considered a public way in the Town of Duxbury. In late 1800's the Town of Duxbury acquired total responsibility of this public way under Special Act. State statutes governs the maintenance of this wooden bridge, requiring approval of improvement plans from the Commonwealth of Massachusetts. In addition, borrowing for this wooden bridge is not an approved borrowing purpose under MGL Chapter 44 sections 7 and 8 [purposes for which a town may borrowing inside and outside the debt limits.] Special Acts of the General Court, as petitioned by the board of selectmen as authorized by town meeting vote provided for the borrowing authority for specific borrowing for repair and maintenance of this public way known as Powder Point Bridge.

The following copies of town meeting actions and special acts by the General Court provides the legal base for **past repairs** of this "public way in the Town of Duxbury".

POWDER POINT BRIDGE

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## TOWN OF DUXBURY

### BACKGROUND: POWDER POINT BRIDGE

**Annual Town Meeting: April 21, 1888**

**Article 10:** To see what action the town will take in reference to the construction of the bridge from Powder Point to Duxbury Beach, authorized by the Act of incorporation of the Gurnet Board Bridge company.

**November 20, 1889 (page 37)**

Meeting respecting bridge from Powder Point to Duxbury Beach. Agreeable to warrant the Town met and proceeded as follows: Chose, Edmund H. Sear, Moderator. The Town by vote of 65 for and 45 against passed the following in connection with the question "Does the Town want a bridge from Powder Point to Duxbury Beach?"

Duxbury Plymouth County

Whereas the County Commissioners of Plymouth County, Commonwealth of Massachusetts, are authorized by chapter 301 of the Acts of 1887, and Acts amendatory thereof, to borrow on the credit of said County in order to build a pile bridge across the waters of Duxbury Harbor, in the Town of Duxbury from Powder Point easterly to Duxbury (Salter) Beach, and whereas said Commissioners have agreed in accordance with said Act it will be necessary to assess upon the Town of Duxbury two-thirds of the cost of building said bridge. VOTE, That the inhabitants of the Town of Duxbury, through their Selectmen, respectfully petition the Legislature of the Commonwealth of Massachusetts, for leave to borrow sufficient money, to pay said assessments, in such manner and upon such town, as the Treasurer of said Town may hereafter determine, in sums not to exceed \$25,000. Authorized by vote of town.

page 2: early action

Voted to accept the following resolution:

William Wright offer for sale building lots and existing private homes there

Request Selectmen and Assessors on the (relook at town report)

The Town voted the follow: .....1889

To Honorable Legislature of Commonwealth of Mass, Your petitioners respectfully ask your favorable action on the following subject:

An Act to authorize the Town of Duxbury to borrow in excess of the limit authorized by law.

Be it enacted as follows:

Section 1. The Town of Duxbury, by its treasurer, in order to pay its share of the cost of building a bridge from Powder Point to Duxbury (Salter) Beach, authorized by **Chaper 301 of he Acts of the year 1887**, and acts amendatory thereof, do authorized to raise, not exceeding \$25,000 by loan, scrip or bonds in excess of the limit allowed by law.

Section 2. This act shall take effect upon its passage.

That the solution of the Town, through their Selectmen, respectfully petition the County Commissioners of Plymouth County to order or to build a bridge by virtue of Chapter 301 of the Acts of 1887, and acts amendatory thereof.

Authorized by vote of town meeting

To the Commissioner of Plymouth County.

Gentlemen: By our petitioners agreeable to the above vote, respectfully request that you take action upon the same at your earliest convenience

Attest Edmund H Sear, Moderator

Continued early action;

1891: November 20<sup>th</sup> vote

Vote that the Selectmen be instructed to widen and straighten highway on Duxbury Beach leading from Marshfield line near Rainbow Beach through Cut Island, so called, and continue the same by laying out highway or road to and around Rounds's Hammoch to the southerly side ending at the crossing of the ...cable and that \$500 has appropriated. 23 in favor none against.